



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 5, 2013

Mr. Scott Byerley  
501 W. Langdon  
Walla Walla, WA 99362

Dear Mr. Byerley:

Re: Walla Walla County Water Conservancy Board Record of Decision on Walla Walla Adjudicated Certificate No. 833(A) WALL-13-04

On October 25, 2013 our office received from the Walla Walla County Water Conservancy Board a Record of Decision and Report of Examination for the above referenced application for change/transfer of Walla Walla Adjudicated Certificate No. 833(A). In accordance with RCW 90.80.080 the Department of Ecology has reviewed the Record of Decision and Report of Examination and all comments, protests, objections and other relevant information submitted by the Walla Walla County Water Conservancy Board for the above referenced application for change/transfer.

The Department of Ecology has **affirmed** the decision of the Board and the proposed change/transfer of water right is **approved**.

**Summary of Ecology's final order "A" Portion 833(A) Byerley**

MAXIMUM CUB FT/ SECOND <b>0.025</b>		MAXIMUM GAL/MINUTE		MAXIMUM ACRE-FT/YR 4.84		TYPE OF USE, PERIOD OF USE 0.0166 cubic feet per second from April 1 to July 1; 0.0125 cubic feet per second from July 1 to October 1; and 0.025 cubic feet per second from October 1 to April 1, 4.84 acre-feet per year for the irrigation of 1.25 acres (Additive)	
SOURCE Walla Walla River				TRIBUTARY OF (IF SURFACE WATER) Columbia River			
AT A POINT LOCATED: PARCEL NO. Diversion #1		¼ S½	¼ NW¼	SECTION 36	TOWNSHIP N. 7 N.	RANGE 34 E.	WRIA 32
COUNTY. Walla Walla							
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
<p><b>Bye-Far Golf LLC:</b> Parcel A, a portion of the SW1/4 of section 25, T. 7 N., R. 34 E.W.M. Beginning at a point 847 feet north of the SW corner of section 25 on the section's west line. Thence continuing on the west line 587 feet. Thence east 2428 feet on a line parallel to the south line of section 25. Thence S. 1°5'30" E., 400 feet. Thence N. 88°37'50" W., 518 feet. Thence S. 80°03'45" W., 102 feet. Thence N. 88°37'50" W., 1075 feet. Thence along a curve with a radius of 3720 feet to the left a distance of 456 feet. Thence S. 64°08'01" W., 366 feet. Thence along a curve with a radius of 3610 feet to the left to the POB.</p> <p><b>Alfalfa LLC:</b> Parcel B, a portion of the SW1/4 of section 25 and the NW1/4 of section 36, T. 7 N., R. 34 E.W.M. Beginning at a point 3010 feet west of the SE corner of section 25 on the south line. Thence N. 1°46'45" W., 580 feet. Thence east parallel to the south section line 425 feet. Thence N. 88°48'30" W., 440 feet. Thence N. 78°28'20" W., 203 feet. Thence N. 88°53'30" W., 722 feet. Thence S. 1°31'40" E., to the Hwy 12 right of way. Thence easterly along the right of way 948 feet. Thence north 554 feet to the POB.</p> <p>Tax Parcel Nos.: 340725-110005, 340725-340005, 340736-510077, 340736-510076, 340736-510071, 340736-510070.</p>							
PARCEL NO.	¼	¼	SECTION 25 and 36	TOWNSHIP N. 7 N.	RANGE, 34 E.		





# Summary of Ecology's final order "E" Portion 833(E) J&J Golf

MAXIMUM CUB FT/ SECOND 0.40	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR 77.4	TYPE OF USE, PERIOD OF USE 0.2664 cubic feet per second from April 1 to July 1; 0.200 cubic feet per second from July 1 to October 1; and 0.400 cubic feet per second from October 1 to April 1, 77.40 acre-feet per year, for the irrigation of 20 acres (Additive)				
SOURCE Walla Walla River			TRIBUTARY OF (IF SURFACE WATER) Columbia River				
AT A POINT LOCATED: PARCEL NO. Diversion #1	¼ S½	¼ NW¼	SECTION 36	TOWNSHIP N. 7 N.	RANGE 34 E.	WRIA 32	COUNTY. Walla Walla
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							



A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 24, AND IN THE NORTHWEST 1/4, THE NORTHEAST 1/4, THE SOUTHWEST 1/4, AND THE SOUTHEAST 1/4, ALL IN SECTION 25 OF TOWNSHIP 7 NORTH OF RANGE 34 EAST, W.M., WALLA WALLA COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 25; THENCE N 88°43'24" E ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF SECTION 25 A DISTANCE OF 2097.09 FT. TO THE TRUE POINT OF BEGINNING FOR THIS LEGAL DESCRIPTION:

THENCE N 64°35'30" E, A DISTANCE OF 221.51 FEET; THENCE N 81°24'37" E, A DISTANCE OF 421.19 FEET; THENCE N 00°49'39" W, A DISTANCE OF 93.07 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 330.11 FEET, WITH A RADIUS OF 497.08 FEET, WITH A CHORD BEARING OF N 80°22'13" E, WITH A CHORD LENGTH OF 324.08 FEET; THENCE S 33°13'56" E, A DISTANCE OF 552.85 FEET; THENCE S 29°36'52" E, A DISTANCE OF 107.26 FEET; THENCE S 28°23'01" E, A DISTANCE OF 311.99 FEET; THENCE S 35°01'31" E, A DISTANCE OF 681.80 FEET; THENCE S 15°00'39" E, A DISTANCE OF 150.46 FEET; THENCE N 88°04'59" E, A DISTANCE OF 338.81 FEET; THENCE N 15°00'39" W, A DISTANCE OF 285.45 FEET; THENCE N 35°01'31" W, A DISTANCE OF 181.26 FEET; THENCE N 46°13'15" E, A DISTANCE OF 252.14 FEET; THENCE N 53°36'03" W, A DISTANCE OF 349.32 FEET; THENCE N 59°38'29" E, A DISTANCE OF 220.56 FEET; THENCE N 18°31'47" E, A DISTANCE OF 463.05 FEET; THENCE S 58°30'54" E, A DISTANCE OF 250.03 FEET; THENCE N 33°50'52" E, A DISTANCE OF 214.87 FEET; THENCE N 38°31'40" E, A DISTANCE OF 60.12 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 499.18 FEET, WITH A RADIUS OF 773.00 FEET, WITH A CHORD BEARING OF S 73°46'16" E, WITH A CHORD LENGTH OF 490.55 FEET; THENCE N 87°14'29" E, A DISTANCE OF 13.29 FEET TO A POINT IN THE WEST RIGHT OF WAY LINE OF FRENCH TOWN ROAD; THENCE S 01°31'21" E ALONG THE WEST RIGHT OF WAY LINE OF FRENCHTOWN ROAD, A DISTANCE OF 28.11 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 25; THENCE S 01°30'50" E CONTINUING ALONG THE WEST RIGHT OF LINE OF FRENCHTOWN ROAD, A DISTANCE OF 2019.62 FEET; THENCE S 88°28'17" W, A DISTANCE OF 541.27 FEET; THENCE S 05°12'23" E, A DISTANCE OF 662.90 FEET; THENCE S 32°09'21" W, A DISTANCE OF 316.25 FEET; THENCE S 06°44'57" W, A DISTANCE OF 221.71 FEET; THENCE S 55°24'14" W, A DISTANCE OF 137.64 FEET; THENCE N 41°28'00" W, A DISTANCE OF 62.36 FEET; THENCE S 72°00'51" W, A DISTANCE OF 214.94 FEET; THENCE N 46°56'23" W, A DISTANCE OF 377.14 FEET; THENCE N 71°56'09" E, A DISTANCE OF 350.60 FEET; THENCE N 07°22'58" E, A DISTANCE OF 64.95 FEET; THENCE N 32°09'21" E, A DISTANCE OF 93.91 FEET; THENCE N 22°03'43" E, A DISTANCE OF 102.16 FEET; THENCE N 04°04'06" W, A DISTANCE OF 229.45 FEET; THENCE N 23°42'13" W, A DISTANCE OF 153.85 FEET; THENCE S 71°45'15" W, A DISTANCE OF 167.67 FEET; THENCE N 80°13'10" W, A DISTANCE OF 186.94 FEET; THENCE S 13°04'52" W, A DISTANCE OF 335.01 FEET; THENCE S 25°16'52" W, A DISTANCE OF 180.34 FEET; THENCE S 74°33'01" W, A DISTANCE OF 285.14 FEET; THENCE S 65°16'45" W, A DISTANCE OF 298.09 FEET; THENCE N 88°39'22" W, A DISTANCE OF 252.21 FEET; THENCE N 70°36'34" W, A DISTANCE OF 255.30 FEET; THENCE S 72°23'35" W, A DISTANCE OF 126.14 FEET; THENCE S 52°38'46" W, A DISTANCE OF 290.16 FEET; THENCE S 35°44'31" W, A DISTANCE OF 272.53 FEET; THENCE S 57°38'30" E, A DISTANCE OF 236.43 FEET; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 24.10 FEET, WITH A RADIUS OF 655.06 FEET, WITH A CHORD BEARING OF N 24°27'27" E, WITH A CHORD LENGTH OF 24.10 FEET; THENCE S 64°29'18" E, A DISTANCE OF 60.00 FEET; THENCE S 84°52'45" E, A DISTANCE OF 278.47 FEET; THENCE N 41°29'33" E, A DISTANCE OF 136.21 FEET; THENCE N 77°02'25" E, A DISTANCE OF 169.74 FEET; THENCE S 89°17'37" E, A DISTANCE OF 89.06 FEET; THENCE S 77°20'07" E, A DISTANCE OF 135.67 FEET; THENCE N 83°53'33" E, A DISTANCE OF 286.09 FEET; THENCE N 54°13'58" E, A DISTANCE OF 199.42 FEET; THENCE S 46°52'20" E, A DISTANCE OF 411.54 FEET; THENCE S 06°50'01" W, A DISTANCE OF 65.79 FEET; THENCE S 65°59'45" W, A DISTANCE OF 295.94 FEET; THENCE S 73°48'10" W, A DISTANCE OF 562.32 FEET; THENCE N 84°52'45" W, A DISTANCE OF 938.20 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 222.93 FEET, WITH A RADIUS OF 445.00 FEET, WITH A CHORD BEARING OF S 23°10'37" W, WITH A CHORD LENGTH OF 220.60 FEET; THENCE S 16°39'01" W, A DISTANCE OF 44.49 FEET; THENCE S 80°12'34" W, A DISTANCE OF 102.59 FEET; THENCE N 88°32'57" W, A DISTANCE OF 610.09 FEET; THENCE N 11°02'23" W, A DISTANCE OF 407.91 FEET; THENCE N 15°45'01" W, A DISTANCE OF 297.15 FEET; THENCE N 04°48'05" E, A DISTANCE OF 194.20 FEET; THENCE N 19°59'02" E, A DISTANCE OF 30.83 FEET; THENCE N 16°47'44" W, A DISTANCE OF 235.53 FEET; THENCE N 53°17'39" W, A DISTANCE OF 238.03 FEET; THENCE N 53°17'39" W, A DISTANCE OF 75.21 FEET; THENCE N 68°03'48" W, A DISTANCE OF 170.68 FEET; THENCE N 39°27'42" E, A DISTANCE OF 86.41 FEET; THENCE N 34°33'15" E, A DISTANCE OF 180.14 FEET; THENCE N 51°21'58" W, A DISTANCE OF 540.80 FEET; THENCE N 33°33'56" W, A DISTANCE OF 399.78 FEET; THENCE N 01°36'03" W, A DISTANCE OF 240.22 FEET; THENCE N 17°08'50" E, A DISTANCE OF 347.38 FEET; THENCE S 35°30'33" E, A DISTANCE OF 125.81 FEET; THENCE S 55°57'26" E, A DISTANCE OF 636.76 FEET; THENCE N 41°16'01" E, A DISTANCE OF 341.40 FEET; THENCE N 27°14'25" W, A DISTANCE OF 171.97 FEET; THENCE N 44°30'51" W, A DISTANCE OF 567.08 FEET; THENCE N 16°56'33" W, A DISTANCE OF 82.10 FEET; THENCE N 03°39'48" E, A DISTANCE OF 121.92 FEET; THENCE N 31°13'27" E, A DISTANCE OF 97.13 FEET; THENCE N 62°50'00" E, A DISTANCE OF 192.93 FEET; THENCE N 74°39'12" E, A DISTANCE OF 517.51 FEET; THENCE S 25°25'00" E, A DISTANCE OF 329.79 FEET; THENCE S 64°57'26" W, A DISTANCE OF 31.43 FEET; THENCE S 74°39'40" W, A DISTANCE OF 365.56 FEET; THENCE S 07°59'12" E, A DISTANCE OF 121.77 FEET; THENCE S 44°33'15" E, A DISTANCE OF 151.91 FEET; THENCE N 62°48'25" E, A DISTANCE OF 33.79 FEET; THENCE S 27°11'35" E, A DISTANCE OF 330.00 FEET; THENCE S 25°58'34" E, A DISTANCE OF 679.87 FEET; THENCE S 22°45'58" E, A DISTANCE OF 498.16 FEET; THENCE N 63°49'47" E, A DISTANCE OF 392.63 FEET; THENCE N 54°12'33" E, A DISTANCE OF 1072.44 FEET; THENCE S 77°00'48" E, A DISTANCE OF 166.41 FEET; THENCE N 24°59'43" E, A DISTANCE OF 176.29 FEET; THENCE N 25°19'55" E, A DISTANCE OF 121.46 FEET; THENCE N 35°01'48" W, A DISTANCE OF 628.05 FEET; THENCE N 28°23'01" W, A DISTANCE OF 326.30 FEET; THENCE N 29°36'52" W, A DISTANCE OF 92.27 FEET; THENCE N 33°13'56" W, A DISTANCE OF 233.15 FEET; THENCE S 81°24'37" W, A DISTANCE OF 515.76 FEET; THENCE S 64°36'55" W, A DISTANCE OF 473.51 FEET; THENCE N 25°25'00" W, A DISTANCE OF 329.78 FEET; THENCE N 64°35'30" E, A DISTANCE OF 300.90 FEET; TO THE TRUE POINT OF BEGINNING. HAVING AN AREA OF 234.39 ACRES, MORE OR LESS. AND The N 1/4 SE 1/4 of Section 24, T. 7 N., R. 34 E. W.M.

PARCEL NO.	1/4	1/4	SECTION 24 & 25	TOWNSHIP N. 7 N	RANGE, 34 E.
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Mr. Scott Byerley  
December 5, 2013

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

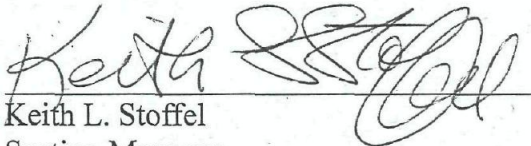
- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website:  
<http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>

DATED this 5th day of December, 2013 at Spokane, Washington.

  
Keith L. Stoffel  
Section Manager  
Water Resources Program

KLS:HS:ka

Enclosure: Your Right to Be Heard

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cc: Walla Walla County Water Conservancy Board



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MR. SCOTT BYERLEY  
501 W. LANGDON  
WALLA WALLA, WA 99362

PS Form 3800, August 2006

See Reverse for Instructions

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. SCOTT BYERLEY  
501 W. LANGDON  
WALLA WALLA, WA 99362

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Scott Byerley

☐ Agent

☒ Addressee

B. Received by (Printed Name)

SCOTT BYERLEY

C. Date of Delivery

12-9-13

D. Is delivery address different from item 1? ☐ Yes

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3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from serv/c

7011 3500 0001 8621 8849

PS Form 3811, February 2004

Domestic Return Receipt

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